

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DMITRY NARODETSKY	:	CIVIL ACTION
	:	
v.	:	
	:	
CARDONE INDUSTRIES, INC., ET AL.	:	NO. 09-4734

ORDER

AND NOW, this 24th day of February 2010, upon consideration of defendants Michael Cardone, Jr.'s, William Bond's, Kelly Stigelman's, Shannon Sarracino's and Dan Bosworth's motion to dismiss, plaintiff Dmitry Narodetsky's response and defendants' reply, it is hereby ORDERED that defendants' motion to dismiss plaintiff's Family and Medical Leave Act and Employee Retirement Income Security Act claims is DENIED. It is further ORDERED that plaintiff's ERISA claim against defendant Michael Cordone, Jr. is dismissed pursuant to Rule 41(a)(2).

/s/ Thomas N. O'Neill
THOMAS N. O'NEILL, JR., J.